

Code of Ordinances of the Borough of East Washington

DISCLAIMER

The electronic version of the Borough of East Washington Code of Ordinances is not the document of issue and the Borough of East Washington printed and published Code remains the primary source and document of issue for all purposes. In the event of a conflict between the electronic version of the Code of Ordinances and the official printed Borough of East Washington Code of Ordinances, the official printed Code of Ordinances shall govern. Copies of the official Borough of East Washington Code of Ordinances may be purchased from the Borough. The user is advised that there may be amendments to the Code of Ordinances which have been enacted after the last revision date of the electronic version of the Code of Ordinances.

Keystone Publishers, Inc. makes no warranty, express or implied, with respect to the accuracy or completeness of the electronic version of the Code of Ordinances or the capability of the electronic version of the Code of Ordinances, and all liability with respect thereto is expressly disclaimed. The service and system is furnished by KPI on an "as is," as available basis. All warranties of merchantability and fitness for a particular purpose are expressly disclaimed. No representation or demonstration shall constitute a warranty of the electronic version of the Code of Ordinances unless expressly incorporated into an agreement between the parties.

**Code
of the
Borough of
East Washington**

COUNTY OF WASHINGTON
COMMONWEALTH OF PENNSYLVANIA

SERIAL NO.

Code supplemented and revised
through April 15, 2008, by:

GENERAL CODE PUBLISHERS CORP.
Rochester, NY 14624

Code supplemented and revised
through December 16, 2013, by:

KEYSTATE PUBLISHERS, INC.
300 West King Street
Shippensburg, PA 17257
www.keystatepub.com

Code of the Borough of East Washington adopted by the Borough Council by *Ord. 499* on July 14, 2008, and originally published by General Code Publishers Corp.

Supplemented and revised by General Code Publishers Corp., through:

April 15, 2008

Supplemented and revised by Keystate Publishers, Inc., through:

December 16, 2013

OFFICIALS
OF THE
BOROUGH OF EAST WASHINGTON

Borough Office
15 Thayer Street
Washington, PA 15301
Telephone: (724) 222-2929
Fax: (724) 229-4289
Website: www.eastwash.com

2014

Mayor
MICHAEL L. GOMBER
COUNCIL
BILL ADAMS, President
LISA CROSIER, Vice President
BLAKE E. MCCANDLESS
ROBERT R. DUNN
GUY P. TUCCI
MARY S. TAUFER
TAMARA CHACKO

Borough Secretary
NANCY A. KLEMASH

Borough Solicitor
DENNIS MAKEL
Makel & Associates

PREFACE

East Washington Borough was founded in 1892 as an election and school district. It was one of four boroughs formed around the City of Washington, but East Washington was the only borough that did not consolidate into the city. However, the East Washington School District eventually was consolidated in the Washington School District. Part of the Borough, designated as the Historic District, contains stately homes built of wood, brick and stone in the Victorian and Revivalist styles, some of which include ballrooms. The Borough is almost exclusively residential with one church, one religious school, one multicultural community center and one business. Also lying within the boundaries of the Borough is part of the campus of Washington & Jefferson College, founded in 1781, which is the oldest college west of the Allegheny Mountains and the 11th oldest in America. Some of the Borough's streets were named for important people from the area, such as LeMoyne Avenue, named for Dr. Francis Julius LeMoyne, a physician, abolitionist, and founder of the first crematory in the U.S. The most famous East Washington Borough resident may have been Edward Martin (1897-1967) who served as a U.S. Senator, governor of Pennsylvania, and a general in the U.S. Army. The Borough's census in 2000 registered 1,930 residents. It is governed by an elected Mayor and seven-member Borough Council.

The Borough of East Washington has, over the years, passed through a process of legislative change common to many American communities. While only a few simple laws were necessary at the time of the establishment of the Borough, subsequent growth of the community, together with the complexity of modern life, has created the need for new and more detailed legislation for the proper function and government of the Borough. The recording of local law is an aspect of municipal history, and as the community develops and changes, review and revision of old laws and consideration of new laws, in the light of current trends, must keep pace. The orderly collection of these records is an important step in this ever-continuing process. Legislation must be more than mere chronological enactments reposing in the pages of old records. It must be available and logically arranged for convenient use and must be kept up-to-date. It was with thoughts such as these in mind that the Borough Council ordered the following codification of the Borough's legislation.

Contents of Code

The various chapters of the Code contain currently effective legislation of a general and permanent nature enacted by the Borough of East Washington. Each piece of legislation has been included as a separate chapter, part or article, renumbered and stylized consistent with the style of the Code, without any substantive change.

Division of Code

The Code is divided into parts. Part I, Administrative Legislation, contains all Borough legislation of an administrative nature, namely, that dealing with the administration of government, that establishing or regulating municipal departments and that affecting officers and employees of the municipal government and its departments. Part II, General Legislation, contains all other Bor-

EAST WASHINGTON CODE

ough legislation of a regulatory nature. Items of legislation in this part generally impose penalties for violation of their provisions, whereas those in Part I do not.

Histories

At the end of the Scheme (list of section titles) in each chapter is located the legislative history for that chapter. This History indicates the specific legislative source from which the chapter was derived, including the enactment number (e.g., ordinance number, local law number, bylaw number, resolution number, etc.), if pertinent, and the date of adoption. In the case of chapters containing parts or articles derived from more than one item of legislation, the source of each part or article is indicated in the text under its title. Amendments to individual sections or subsections are indicated by histories where appropriate in the text.

General References; Editor's Notes

In each chapter containing material related to other chapters in the Code, a table of General References is included to direct the reader's attention to such related chapters. Editor's Notes are used in the text to provide supplementary information and cross-references to related provisions in other chapters.

Appendix

Certain forms of local legislation are not of a nature suitable for inclusion in the main body of the Code but are of such significance that their application is community-wide or their provisions are germane to the conduct of municipal government. The Appendix of this publication is reserved for such legislation and for any other material that the community may wish to include.

Derivation Table

In order to assist Code users in the transition to the new Code's organization, the Derivation Table indicates where chapters and articles of the 1985 Code have been included in the 2008 Code, or the reason for exclusion.

Disposition List

The Disposition List is a chronological listing of legislation, indicating its inclusion in the publication or the reason for its exclusion. The Disposition List will be updated with each supplement to the Code to include the legislation reviewed with said supplement.

Index

The Index is a guide to information. Since it is likely that this publication will be used by persons without formal legal training, the Index has been formulated to enable such persons to locate

PREFACE

a particular section quickly. Each section of each chapter has been indexed. The Index will be supplemented and revised from time to time as new legislation is added.

Instructions for Amending the Code

All changes to the Code, whether they are amendments, deletions or additions, should be adopted as amendments to the Code. In doing so, existing material that is not being substantively altered should not be renumbered.

Adding new sections. Where new sections are to be added to a chapter, they can be added at the end of the existing material (continuing the numbering sequence) or inserted between existing sections as decimal numbers (e.g., a new section between §§ 65-5 and 65-6 should be designated § 65-5.1).

Adding new chapters. New chapters should be added in the proper alphabetical sequence in the appropriate division or part (e.g., Part I, Administrative Legislation, or Part II, General Legislation), utilizing the reserved chapter numbers. New chapter titles should begin with the key word for the alphabetical listing (e.g., new legislation on abandoned vehicles should be titled "Vehicles, Abandoned" under "V" in the Table of Contents, and a new enactment on coin-operated amusement devices should be "Amusement Devices" or "Amusement Devices, Coin-Operated" under "A" in the Table of Contents). Where a reserved number is not available, an "A" chapter should be used (e.g., a new chapter to be included between Chapters 166 and 167 should be designated Chapter 166A).

Adding new articles. New articles may be inserted between existing articles in a chapter (e.g., adding a new district to the Zoning Regulations) by the use of "A" articles (e.g., a new article to be included between Articles XVI and XVII should be designated Article XVIA). The section numbers would be as indicated above (e.g., if the new Article XVIA contains six sections and existing Article XVI ends with § 166-30 and Article XVII begins with § 166-31, Article XVIA should contain §§ 166-30.1 through 166-30.6).

Supplementation

Supplementation of the Code will follow the adoption of new legislation. New legislation or amendments to existing legislation will be included and repeals will be indicated as soon as possible after passage. Supplemental pages should be inserted as soon as they are received and old pages removed, in accordance with the Instruction Page which accompanies each supplement.

Acknowledgment

The assistance of the Borough officials is gratefully acknowledged by the editor. The codification of the legislation of the Borough of East Washington reflects an appreciation of the needs of a progressive and expanding community. As in many other municipalities, officials are faced with fundamental changes involving nearly every facet of community life. Problems increase in number and complexity and range in importance from everyday details to crucial areas of civic planning. It is the profound conviction of General Code that this publication will contribute signifi-

EAST WASHINGTON CODE

cantly to the efficient administration of local government. As Samuel Johnson observed, "The law is the last result of human wisdom acting upon human experience for the benefit of the public."

TABLE OF CONTENTS

Tools for Finding Information – In addition to the municipality's legislation, this publication contains tools to help locate information: table of contents, index, chapter outlines (schemes), and a disposition list.

Chapters – Chapters are generally discrete pieces of legislation but can also be made up of several individual pieces on a related topic. In that case, the individual pieces are arranged into articles or parts within the chapter. If you are familiar with a former number or title, look for it chronologically in the disposition list.

Reserved Chapters – In the numbering of chapters, space has been provided for the convenient insertion, alphabetically, of later enactments. Help in selecting an appropriate number for a new chapter is available from the editor. See also the “Instructions for Amending the Code” in the Preface.

Section Numbering – A chapter-related section-numbering system is employed. Each section of every item of legislation is assigned a number, which indicates both the number of the chapter in which the item of legislation is located and the location of the section within that chapter. Thus, the fourth section of Chapter 6 is § 6-4.

Scheme – The scheme is the list of section titles that precedes the text of each chapter. These titles are carefully written so that, taken together, they may be considered as a summary of the content of the chapter. Taken separately, each describes the content of a particular section. For ease and precision of reference, the scheme titles are repeated as section headings in the text.

Page Numbers – A unique page-numbering system has been used in which each chapter forms an autonomous unit. The first page of each chapter is the number of that chapter followed by a colon and the numeral “1.” Thus, Chapter 6 begins on page 6:1. By the use of this system, it is possible to add or to change pages in any chapter, or add new chapters, without affecting the sequence of subsequent pages.

EAST WASHINGTON CODE

PART I: ADMINISTRATIVE LEGISLATION

1.	General Provisions	1:1
	Article I Adoption of Code	
7.	Authorities	7:1
	Article I Washington-East Washington Joint Authority	
11.	Civil Service Commission	11:1
16.	Code Enforcement Appeals, Board of	16:1
20.	Collection Procedures; Penalty, Interest and Schedule of Attorney Fees	20:1
35.	Officers and Employees	35:1
	Article I Consolidation of Secretary and Treasurer	
	Article II Independent Auditor	
42.	Park and Shade Tree Commission	42:1
47.	Pensions	47:1
	Article I Municipal Police Retirement System	
	Article II Irrevocable Commitment of Certain State Funds Payable to Borough	
	Article III Creation of Two-Tier System; Additional Benefits for Police Officers Hired Prior to January 1, 1989	
	Article IV Nonuniform Pension Plan	
53.	Planning Commission	53:1
58.	Police Department	58:1
66.	Revolving Fund	66:1
71.	Risk Management	71:1
75.	Salaries and Compensation	75:1
	Article I Mayor	
82.	Social Security	82:1
89.	Zoning Hearing Board	89:1

PART II: GENERAL LEGISLATION

100.	Alarm Devices	100:1
104.	Alcoholic Beverages	104:1
	Article I Possession and Consumption in Public	
109.	Animals	109:1
	Article I Disposal of Dog Feces	
	Article II Noise Disturbances	

TABLE OF CONTENTS

	Article III	Keeping of Exotic Animals	
115.	Auctions and Auctioneers		115:1
123.	Brush, Grass and Weeds		123:1
130.	Buildings, Numbering of		130:1
136.	Burning, Outdoor		136:1
150.	Construction Codes		150:1
	Article I	Uniform Construction Codes	
154.	Curfew		154:1
166.	Dwelling Unit Occupancy		166:1
181.	Firearms		181:1
245.	Property Maintenance		245:1
262.	Sewers and Sewage Disposal		262:1
	Article I	Regulations and Rates	
	Article II	Shutoff Provisions	
	Article III	Reserve Capacity Charge	
	Article IV	Pretreatment Standards	
	Article V	Dye Tests	
279.	Solid Waste		279:1
	Article I	Municipal Waste Hauler Licensing	
	Article II	Solid Waste Management	
	Article III	Recycling	
	Article IV	Dumpsters and Roll-Off Containers	
284.	Storage, Outdoor		284:1
	Article I	Storage of Refuse	
	Article II	Storage of Vehicles	
	Article III	Indoor Furniture	
286.	Stormwater Management		286:1
	Article I	General Provisions	
	Article II	Definitions	
	Article III	Stormwater Management Standards	
	Article IV	E&S Standards	
	Article V	Protected Watershed Standards	
	Article VI	Riparian Buffer Standards	
	Article VII	Design Criteria	

EAST WASHINGTON CODE

	Article VIII	SWM Site Plan and Report Requirements	
	Article IX	Easements	
	Article X	Maintenance Responsibilities	
	Article XI	Inspections	
	Article XII	Enforcement and Penalties	
	Article XIII	Prohibitions	
	Article XIV	Fees and Expenses	
291.	Streets and Sidewalks		291:1
	Part 1	Sidewalk Maintenance	
	Part 2	Snow and Ice Removal	
	Part 3	Overhanging Vegetation	
	Part 4	Street Excavations	
295.	Subdivision and Land Development		295:1
301.	Swimming Pools, Private		301:1
306.	Taxation		306:1
	Article I	Earned Income and Net Profits Tax	
	Article II	Realty Transfer Tax	
	Article III	Per Capita Tax	
	Article IV	Local Services Tax	
	Article V	New Construction-Residential Property Revitalization Tax Exemption	
312.	Transient Retail Business		312:1
318.	Trees		318:1
325.	Vehicles and Traffic		325:1
340.	Zoning		340:1
Appendix			A:1
	Appendix A	Annexation of Territory	
	Appendix B	Bond Issues and Loans	
	Appendix C	Franchises and Services	
	Appendix D	Governmental and Intergovernmental Affairs	
	Appendix E	Plan Approval	
	Appendix F	Public Property	
	Appendix G	Sewers	
	Appendix H	Street Lighting	
	Appendix I	Streets/sidewalks	
	Appendix J	Water	

TABLE OF CONTENTS

Appendix K Zoning Reclassification

Derivation Table DT:1

Disposition List DL:1

Index I:1

